

Adopted	Rejected
---------	----------

COMMITTEE REPORT

YES:	12
NO:	1

MR. SPEAKER:

*Your Committee on Human Affairs, to which was referred Senate Bill 263, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 12-13-6-1 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. The following
- 5 bureaus are established within the division:
- 6 (1) A bureau of family independence.
- 7 (2) A family protection bureau.
- 8 (3) A youth development bureau that includes a children's
- 9 disabilities services unit.
- 10 (4) A bureau of child care services.
- 11 (5) A bureau of residential services.
- 12 (6) A bureau of ~~community services~~ **family resources**.
- 13 (7) A food stamp bureau.
- 14 (8) A child support bureau.
- 15 SECTION 2. IC 12-14-6-1, AS AMENDED BY P.L.273-1999,
- 16 SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

JULY 1, 2001]: Sec. 1. (a) This section applies upon the death of either of the following:

(1) A recipient who is receiving assistance as a dependent child.

(2) A parent of the recipient.

(b) ~~Unless otherwise determined by the director,~~ The division shall pay ~~six hundred dollars (\$600)~~ **one thousand two hundred dollars (\$1,200)** for the funeral director's expenses of the decedent if the following conditions exist:

(1) The estate of the deceased is insufficient to pay the funeral director's expenses.

(2) The person legally responsible for the burial of the deceased is unable to pay the funeral director's expenses.

SECTION 3. IC 12-14-6-2, AS AMENDED BY P.L.273-1999, SECTION 84, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. ~~Unless otherwise determined by the director,~~ In addition to the amount paid under section 1 of this chapter, not more than ~~four hundred dollars (\$400)~~ **eight hundred dollars (\$800)** shall be paid for the cemetery's expenses for the following:

(1) To cover provision of burial rights if necessary.

(2) Opening and closing a burial plot and provision of an outer container.

(3) Service required by the cemetery authorities.

SECTION 4. IC 12-14-10-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. The bureau of ~~community services~~ **family resources** is established within the division.

SECTION 5. IC 12-14-10-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. The bureau of ~~community services~~ **family resources** shall perform the following duties:

(1) Provide a range of services and activities having a measurable and potentially major impact on causes of poverty.

(2) Provide activities designed to assist low income participants, including the elderly poor, to do the following:

(A) Secure and retain meaningful employment.

(B) Attain an adequate education.

(C) Make better use of available income.

(D) Obtain and maintain adequate housing and a suitable

- 1 living environment.
- 2 (E) Obtain emergency assistance through loans or grants to
- 3 meet immediate and urgent individual and family needs,
- 4 including the need for health services, energy assistance,
- 5 nutritious food, housing, and employment related assistance.
- 6 (F) Remove obstacles and solve problems that block the
- 7 achievement of self-sufficiency.
- 8 (G) Achieve greater participation in the affairs of the
- 9 community.
- 10 (H) Make more effective use of other programs related to the
- 11 purposes of this chapter.
- 12 (3) Provide on an emergency basis for the provision of supplies,
- 13 nutritious foodstuffs, and related services that are necessary to
- 14 counteract conditions of starvation and malnutrition among the
- 15 poor.
- 16 (4) Coordinate and establish linkages between governmental and
- 17 other social services programs to assure the effective delivery of
- 18 services to low income individuals.
- 19 (5) Encourage the use of entities in the private sector of the
- 20 community in efforts to ameliorate poverty in the community.
- 21 (6) Coordinate the provision of available services for migrant
- 22 farmworkers.
- 23 (7) Administer the home energy assistance program established
- 24 by IC 12-14-11.
- 25 (8) Administer the low income home weatherization programs
- 26 conducted by the division.
- 27 SECTION 6. IC 12-14-12-9 IS AMENDED TO READ AS
- 28 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. The commission
- 29 shall do the following:
- 30 (1) Serve as an advisory body to the director and the bureau of
- 31 ~~community services~~ **family resources** regarding federal housing
- 32 programs administered by the division.
- 33 (2) Recommend the policies and procedures necessary to carry
- 34 out this chapter.
- 35 SECTION 7. IC 12-14-17-2, AS AMENDED BY P.L.273-1999,
- 36 SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 37 JULY 1, 2001]: Sec. 2. (a) This section applies upon the death of either
- 38 of the following:

(1) A recipient who is receiving supplemental assistance.

(2) An aged, blind, or disabled person who at the time of death was certified as eligible to receive medical assistance under Medicaid.

(b) ~~Unless otherwise determined by the director,~~ The division shall pay ~~six hundred dollars (\$600)~~ **one thousand two hundred dollars (\$1,200)** for the funeral director's expenses of the decedent if the following conditions exist:

(1) The estate of the deceased is insufficient to pay the funeral director's expenses.

(2) The individual legally responsible for the burial of the deceased is unable to pay the funeral director's expenses.

SECTION 8. IC 12-14-17-3, AS AMENDED BY P.L.273-1999, SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3. ~~Unless otherwise determined by the director,~~ In addition to money paid by the division under section 2 of this chapter and even if the deceased or person legally responsible for the deceased possesses a burial lot, the division shall pay ~~four hundred dollars (\$400)~~ **eight hundred dollars (\$800)** for the cemetery's expenses for the deceased to cover the following:

(1) The provision of burial rights if necessary.

(2) The opening and closing of a burial plot and provision of an outer container.

(3) The service required by the cemetery authorities.

SECTION 9. IC 12-14-23-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. As used in this chapter, "community action agency" means an entity that meets the following conditions:

(1) Is any of the following:

(A) ~~A political subdivision of the state.~~ **private nonprofit organization that is geographically located within a community.**

(B) ~~A combination of political subdivisions.~~ **private nonprofit organization that is located in a county or counties contiguous to or within reasonable proximity of a community.**

(C) ~~An agency of a political subdivision.~~ **A political subdivision if there is no qualified nonprofit organization**

identified that meets the criteria set forth in clause (A) or (B).

~~(D) A private nonprofit agency.~~

(2) Has the authority under state or federal law to receive money to support the community action programs described in sections 3 and 4 of this chapter.

(3) Is designated as a community action agency by the governor or by federal law.

SECTION 10. IC 12-17.2-4-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) A license may be issued only if a child care center is in compliance with food, health, safety, and sanitation standards as determined by the division under rules adopted by the division under IC 12-17.2-2-4 or in accordance with a variance or waiver approved by the division under IC 12-17.2-2-10.

(b) A license may be issued only if the child care center is in substantial compliance with the fire and life safety rules as determined by the state fire marshal under rules adopted by the division under IC 12-17.2-2-4 or in accordance with a variance or waiver approved by the division under IC 12-17.2-2-10.

(c) The division may issue a waiver or variance regarding a determination by the division or the state fire marshal under subsections (a) and (b).

(d) Except as provided in subsection (e), the division may issue a license under this chapter only if the child care center is staffed, when children are being cared for, by at least one (1) child care provider who is ~~annually~~ **currently** certified in a program on pediatric cardiopulmonary resuscitation and pediatric airway obstruction under the American Heart Association's Basic Life Support Course D or any other comparable course approved by the division.

(e) The requirement set forth in subsection (d) does not apply to a child care center that:

(1) serves only children who are at least thirteen (13) years of age and less ~~than~~ twenty-one (21) years of age; and

(2) has on duty, when the children are being cared for, at least one (1) child care provider who is ~~annually~~ **currently** certified in a program on ~~cardipulmonary~~ **cardiopulmonary** resuscitation as required by the division.

(f) Upon request, the county ~~department of public welfare~~ **office of family and children** shall provide, within forty-eight (48) hours, excluding weekends and holidays, copies of substantiated noncompliances and other substantiated complaints filed with the division of family and children concerning a licensed child care center.

SECTION 11. IC 12-17.4-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) A license may be issued only if the child caring institution is in substantial compliance with food, health, safety, and sanitation standards under rules adopted by the division under IC 12-17.4-2-4 or in accordance with a variance or waiver approved by the division under IC 12-17.4-2-8.

(b) A license may be issued only if the child caring institution is in compliance with the fire and life safety rules as determined by the state fire marshal under rules adopted by the division under IC 12-17.4-2-4 or in accordance with a variance or waiver approved by the division under IC 12-17.4-2-8.

(c) The division may issue a waiver or variance regarding a determination by the state fire marshal under subsection (b).

(d) Except as provided in subsection (e), the division may not issue a license under this chapter unless the child caring institution is staffed by, when children are being cared for, at least one (1) child care provider who is ~~annually~~ **currently** certified in a program on pediatric cardiopulmonary resuscitation and pediatric airway obstruction under the American Heart Association's Basic Life Support Course D or any other comparable course approved by the division.

(e) The requirement under subsection (d) does not apply to a child caring institution that only serves children who are at least thirteen (13) years of age and less than twenty-one (21) years of age. However, a child caring institution that only serves children who are at least thirteen (13) years of age and less than twenty-one (21) years of age must have on duty, when children are being cared for, at least one (1) child care provider who is ~~annually~~ **currently** certified in a program on cardiopulmonary resuscitation as required by the division.

SECTION 12. IC 12-20-6-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. (a) A township trustee may not extend aid to an individual or a household unless an application and affidavit setting forth the personal condition of the individual or household has been filed with the trustee within one

1 hundred eighty (180) days before the date aid is extended.

2 (b) An individual filing an application and affidavit on behalf of a
3 household must provide the names of all household members and any
4 information necessary for determining the household's eligibility for
5 poor relief. The application must be on the form prescribed by the state
6 board of accounts.

7 (c) An applicant for utility assistance under IC 12-20-16-3(a) must
8 comply with IC 12-20-16-3(d).

9 (d) The township trustee may not extend additional or continuing
10 aid to an individual or a household unless the individual or household
11 files an affidavit with the request for assistance affirming how, if at all,
12 the personal condition of the individual or the household has changed
13 from that set forth in the individual's or household's most recent
14 application.

15 **(e) The township trustee shall assist an applicant for poor relief**
16 **in completing a poor relief application if the applicant:**

17 **(1) has a mental or physical disability, including mental**
18 **retardation, cerebral palsy, blindness, or paralysis;**

19 **(2) has dyslexia; or**

20 **(3) cannot read or write the English language."**

21 Page 1, delete lines 12 through 17, begin a new paragraph and
22 insert:

23 "SECTION 14. IC 12-20-7-1 IS AMENDED TO READ AS
24 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. (a) Each applicant
25 and each adult member of the applicant's household seeking poor relief
26 must consent to a disclosure and release of information about the
27 applicant and the applicant's household before poor relief may be
28 provided by the township trustee. The consent must be made by signing
29 a form prescribed by the state board of accounts. The form must
30 include the following:

31 (1) The applicant's name, case number, and address.

32 (2) The types of information being solicited, including the
33 following:

34 (A) Countable income.

35 (B) Countable assets.

36 (C) Wasted resources.

37 (D) Relatives capable of providing assistance.

38 (E) Past or present employment.

- 1 (F) Pending claims or causes of action.
- 2 (G) A medical condition if relevant to work or workfare
- 3 requirements.
- 4 (H) Any other information required by law.
- 5 (3) The names of individuals, agencies, and township trustee
- 6 offices that will receive the information.
- 7 (4) The expiration date of the permission to disclose information.
- 8 (b) Information that is declared to be confidential by state or federal
- 9 statute may not be obtained under the consent form prescribed by this
- 10 section.
- 11 (c) The township trustee shall keep on file and shall make available
- 12 to the division of family and children and office of Medicaid policy and
- 13 planning upon request a copy of the signed consent form described in
- 14 subsection (a).
- 15 (d) The township trustee shall send to the county office a copy of the
- 16 signed consent form described in subsection (a).
- 17 (e) The division of family and children, county offices, and the
- 18 office of Medicaid policy and planning shall make available to the
- 19 township trustee upon request a copy of signed consent to disclosure
- 20 and release of information forms in each entity's files.
- 21 **(f) If an individual who is required to sign a form under this**
- 22 **section is unable to sign the form in the township trustee's office**
- 23 **due to a physical or mental disability or illness, the township**
- 24 **trustee shall make alternate arrangements to obtain the**
- 25 **individual's signature."**
- 26 Delete page 2.
- 27 Page 3, delete lines 1 through 3.
- 28 Page 3, delete lines 16 through 26.
- 29 Page 5, between lines 23 and 24, begin a new paragraph and insert:
- 30 "SECTION 17. IC 12-20-16-12 IS AMENDED TO READ AS
- 31 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 12. (a) This section
- 32 does not apply if the county coroner assumes jurisdiction of an
- 33 unclaimed body under IC 36-2-14-16.
- 34 (b) If:
- 35 (1) an individual dies in a township without leaving:
- 36 (A) money;
- 37 (B) real or personal property;
- 38 (C) other assets that may be liquidated; or

- 1 (D) other means necessary to defray funeral expenses; and
- 2 (2) the individual is not a resident of another township in Indiana;
- 3 the township trustee, as administrator of poor relief, shall provide a
- 4 person to superintend and authorize either the funeral and burial or
- 5 cremation of the deceased individual. If the township trustee
- 6 determines that the deceased individual is a resident of another
- 7 township in Indiana, the township trustee shall notify the trustee of that
- 8 township, who shall then provide a person to superintend and authorize
- 9 either the funeral and burial or cremation of the deceased individual.
- 10 **The township trustee who provides a person to superintend and**
- 11 **authorize the funeral and burial or cremation of a deceased**
- 12 **individual shall allow the surviving relatives of the deceased**
- 13 **individual to select the funeral director who will conduct the**
- 14 **funeral and burial or cremation of the deceased individual.**
- 15 (c) The necessary and reasonable expenses of the funeral and burial
- 16 or cremation, including a burial plot, shall be paid in the same manner
- 17 as other claims for poor relief. A trustee shall determine the cost for the
- 18 items and services required by law for the funeral and burial of an
- 19 individual, including a burial plot, and for the cremation of an
- 20 individual, and include in the township's poor relief standards the
- 21 maximum funeral and burial or cremation amount to be paid from poor
- 22 relief funds. The trustee may deduct from the maximum amount the
- 23 following:
- 24 (1) Any monetary benefits that the deceased individual is entitled
- 25 to receive from a state or federal program.
- 26 (2) Any money that another person provides on behalf of the
- 27 deceased individual.
- 28 (d) If an individual described in subsection (b) is a resident of a
- 29 state institution at the time of the individual's death, the division that
- 30 has administrative control of the state institution shall reimburse the
- 31 township trustee for the necessary and reasonable expenses of the
- 32 funeral and burial or cremation of the deceased individual. The
- 33 township trustee shall submit to the division that has administrative
- 34 control of the state institution an itemized claim for reimbursement of
- 35 the necessary and reasonable funeral and burial or cremation expenses
- 36 incurred by the township trustee.
- 37 (e) If an individual described in subsection (b) is a resident of a
- 38 special institution governed by IC 16-33 at the time of the individual's

1 death, the state department of health shall reimburse the township
2 trustee for the necessary and reasonable expenses of the funeral and
3 burial or cremation of the deceased individual. The township trustee
4 shall submit to the state department of health an itemized claim for
5 reimbursement of the necessary and reasonable funeral and burial or
6 cremation expenses incurred by the township trustee.

7 (f) A township trustee who provides funeral and burial or cremation
8 benefits to a deceased individual is entitled to a first priority claim, to
9 the extent of the cost of the funeral and burial or cremation benefits
10 paid by the township trustee, against any money or other personal
11 property held by the coroner under IC 36-2-14-11.

12 (g) The township trustee may not cremate a deceased individual if:

13 (1) the deceased individual; or

14 (2) a surviving family member of the deceased individual;

15 has objected in writing to cremation.

16 (h) If a township trustee provides a funeral under this section, the
17 cost of the funeral may not be more than the cost of the least expensive
18 funeral, including any necessary merchandise and embalming,
19 available from the funeral director under the funeral director's price list
20 disclosed to the Federal Trade Commission."

21 Page 6, after line 29, begin a new paragraph and insert the
22 following:

23 "SECTION 20. [EFFECTIVE JULY 1, 2001] **After June 30, 2001,**
24 **any reference to the bureau of community services in a statute or**

1 **rule shall be construed as a reference to the bureau of family**
2 **resources."**

3 Renumber all SECTIONS consecutively.
 (Reference is to SB 263 as printed February 2, 2001.)

and when so amended that said bill do pass.

Representative Summers